Theodore V. H. Mayer (TM 9748) Vilia B. Hayes (VH 4601) Robb W. Patryk (RP 0161) **HUGHES HUBBARD & REED LLP** One Battery Park Plaza New York, NY 10004-1482 (212) 837-6000

Attorneys for Defendant Merck & Co., Inc.

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK Civ. No.: 07 Civ 7415 JORGE CASANOVA, Plaintiff, **DECLARATION OF SERVICE AND FILING** -against-MERCK & CO., INC., Defendant.:

Pursuant to 28 U.S.C. § 1746, SARAH A. BINDER declares:

- 1. I am over the age of 18 years and I am not a party to this action. I am associated with the firm of Hughes Hubbard & Reed LLP, counsel for Defendant Merck & Co., Inc.
- 2. On August 21, 2007, the Notice of Removal of Defendant Merck & Co., Inc. was duly filed in the United States District Court for the Southern District of New York.
- 3. On August 21, 2007, I caused a true and accurate copy of the Notice of Removal, the Answer and Jury Demand of Defendant Merck & Co., Inc., and the Notice of Filing of Notice of Removal of Defendant Merck & Co., Inc. to be served via first-

class mail, postage prepaid, on plaintiff's counsel, Fredric S. Masure, The Law Offices of Fredric S. Masure, 1352 Pennsylvania Avenue, Brooklyn, New York 11239.

4. On August 23, 2007, the Notice of Filing of Notice of Removal of Defendant Merck & Co., Inc. was duly filed in the Supreme Court of the State of New York, County of Bronx.

I declare under penalty of perjury that the foregoing is true and correct.

Sarah A. Binder

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